

**REMARKS**

Claims 1, 3-9, 11-19, 21, 22 and 25 are pending in this application. By this Amendment, claims 1, 4-9, 11-19, 21 and 22 are amended and claim 25 is added. The claim amendments and added claims introduce no new matter. Claims 9, 11, 13, 16, 17 and 22 are provisionally withdrawn from consideration as drawn to non-elected Groups of claims and/or Species. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

**I. Withdrawn Claims**

The Office Action indicates that claim 9, 11, 13-17 and 22 are withdrawn from consideration. However, Applicants elected Species IA and Species IIA, with traverse, in the Response to Election of Species Requirement filed February 3, 2006. In that election, Applicants identified at least claims 1, 3-8, 12 and 20-24 read on Species IA and at least claims 11, 14-15 read on Species IIA.

Previous amendments to the enumerated non-elected claims were made based an indication of allowability of these claims. Applicants rewrote these claims in independent form based on that indication of allowability. The Patent Office then subsequently improperly subjected this application to election requirements that were specifically based on claim amendments that Applicants had made as indicated above. The withdrawn claims are re-amended to depend from claim 1, as such rejoinder and consideration of these claims is proper and respectfully requested.

Further, Applicants believe that they have been prejudiced by this piecemeal prosecution of this application, at least with respect to the election requirements.

**II. Claim Rejections**

The Office Action rejects claims 11, 14, 15, 18 and 19 under 35 U.S.C. §102(b) over Japanese Patent Publication No. JP -A-2002-215064 to Takashi; rejects claims 1, 3-5, 8, 12

and 21 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. US 2002/0018278 to Sato (hereinafter "Sato 1") in view of U.S. Patent Application Publication No. 2003/0016311 to Sato (hereinafter " Sato II") further in view of U.S. Patent No. 6,088,070 to Ohtani et al. ("Ohtani"); and rejects claims 6 and 7 under 35 U.S.C. §103(a) over Sato I in view of Sato II further in view of Ohtani and further in view of U.S. Patent No. 5,734,455 to Yoshida. These rejections are respectfully traversed.

Claims 11, 14, 18 and 19 are rewritten to dependent form, depending from claim 1. As such, the rejection of claims 11, 14, 15, 18 and 19 under 35 U.S.C. §102(b) as being anticipated by Takashi is rendered moot. These claims are allowable to at least the same extent as independent claim 1, as discussed below, for at least their respective dependence directly or indirectly on that claim, as well as for the separately patentable subject matter that each of these claims recites.

In rejecting independent claims 1 and 21 under 35 U.S.C. §103(a), the Office Action asserts that Sato I teaches many of the features recited in these claims (Figs. 2 and 17 of Sato I). The Office Action acknowledges that Sato I fails to teach a light shielding layer covering the entire data line in plan view. However, the Office Action asserts that Sato II teaches forming a light shield covering the entire data line (Figs. 4 and 5O of Sato II).

The Office Action states that neither Sato I nor Sato II discloses a storage capacitor made up of at least two layers of different materials with at least one layer having a higher dielectric constant than the other. However, the Office Action asserts that Ohtani teaches a multilayer dielectric comprised of silicon oxide and nitride film (col. 3, lines 1-10). The Office Action concludes that this teaching of Ohtani cures the deficiencies of Sato I and Sato II.

None of Sato I, Sato II or Ohtani, either alone or in any permissible combination, teaches, or can reasonably be considered to have suggested, a relay layer that electrically

connects the pixel electrode and the storage capacitor and that at least partially covers the storage capacitor to shade the storage capacitor from incident light, nor do these references teach or suggest a light shielding layer that at least partially covers the storage capacitor, as is positively recited in independent claims claims 1 and 21. Further, Yoshida does not cure this deficiency in the application of Sato I, Sato II and Ohtani to the subject matter of the independent claims. In fact, none of these four applied prior art references disclose a feature similar to the relay layer that is the subject matter of the pending claims. The Office Action asserts, for example, that Sato I discloses an upper light shield layer (element 10, Fig. 50), none of the applied art discloses or suggests the use of another layer, i.e. a relay layer to at least partially shield the storage capacitor from incident light.

For at least this reason, the combinations of all of the features recited in independent claims 1 and 21 would not have been suggested by any permissible combination of the applied prior art references. Further, claims 3-9, 11-19 and 22 depend directly or indirectly from claim 1, incorporating therefore all of the features of claim 1 and are allowable for at least the foregoing reasons to the same extent that claim 1 is allowable, as well for the additional features that they recite.

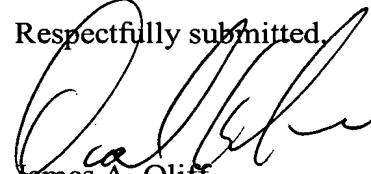
Accordingly, reconsideration and withdrawal of the rejections of claims 1, 3-9, 11-19, 21 and 22, are respectfully requested.

Claim 25 is allowable over the applied prior art references for at least the inclusion of the same feature as discussed above with respect to claims 1 and 21.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-9, 11-19, 21, 22 and 25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,  
  
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JAO:DAT

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